



## Senate

General Assembly

**File No. 346**

February Session, 2010

Substitute Senate Bill No. 296

*Senate, April 7, 2010*

The Committee on Human Services reported through SEN. DOYLE of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING VISITATION BETWEEN A PARENT AND A CHILD IN CASES INVOLVING THE DEPARTMENT OF CHILDREN AND FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-10a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) The Commissioner of Children and Families shall ensure that a  
4 child placed in the care and custody of the commissioner pursuant to  
5 an order of temporary custody or an order of commitment is provided  
6 visitation with such child's parents and siblings, unless otherwise  
7 ordered by the court.

8 (b) The commissioner shall ensure that such child's visits with his or  
9 her parents shall occur as frequently as reasonably possible, based  
10 upon consideration of the best interests of the child, including the age  
11 and developmental level of the child, and shall be sufficient in number  
12 and duration to ensure continuation of the relationship.

13 (c) If such child has an existing relationship with a sibling and is  
 14 separated from such sibling as a result of intervention by the  
 15 commissioner including, but not limited to, placement in a foster home  
 16 or in the home of a relative, the commissioner shall, based upon  
 17 consideration of the best interests of the child, ensure that such child  
 18 has access to and visitation rights with such sibling throughout the  
 19 duration of such placement. In determining the number, frequency  
 20 and duration of such visits, the commissioner shall consider the best  
 21 interests of each sibling, given each child's age and developmental  
 22 level and the continuation of the sibling relationship.

23 (d) The commissioner shall include in each child's plan of treatment  
 24 information relating to the factors considered in making visitation  
 25 determinations pursuant to this section. If a permanency plan includes  
 26 reunification with a parent, the plan shall provide for not less than four  
 27 visits per month at a designated place. If the commissioner determines  
 28 that such visits are not in the best interests of the child or that the  
 29 number, frequency or duration of the visits requested by the child's  
 30 attorney or guardian ad litem is not in the best interests of the child,  
 31 the commissioner shall include the reasons for such determination in  
 32 the child's plan of treatment. Visits with a parent shall not be  
 33 suspended, except in an emergency, unless the commissioner conducts  
 34 a hearing on such suspension.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2010	17a-10a
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**KID**                      *Joint Favorable C/R*    HS

**HS**                        *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

It is expected that few additional hearings will be held by the Department of Children and Families from requiring that a hearing be held whenever the agency suspends visitation. Therefore, no fiscal impact will result.

As the department's current practice is to require weekly visitation with parents when a child has a permanency plan calling for reunification, no impact will result from requiring not less than four visits per month.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****sSB 296*****AN ACT CONCERNING VISITATION BETWEEN A PARENT AND A CHILD IN CASES INVOLVING THE DEPARTMENT OF CHILDREN AND FAMILIES.*****SUMMARY:**

This bill expands visitation rights between parents and children in out-of-home placements. It prohibits the Department of Children and Families from suspending parental visitation unless the commissioner holds a hearing. Under existing law, unchanged by the bill, the department cannot suspend visitation without a court order.

The bill also provides for regular parent-child visitation when family reunification is a permanency plan goal. In those cases, the plan must include at least four visits every month at a designated place. Current law requires that visits be of sufficient number and duration to ensure continuation of the relationship between the child and parents, but it does not quantify how many visits that entails.

EFFECTIVE DATE: October 1, 2010

**BACKGROUND*****Related Bill***

sHB 5146, favorably reported by the Human Services committee, adds new categories of relatives who can request to participate in hearings, including those dealing with visitation schedules.

**COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Change of Reference

Yea 12 Nay 0 (03/09/2010)

## Human Services Committee

Joint Favorable Substitute

Yea 13 Nay 6 (03/23/2010)